

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the above amendments and the following remarks.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 are currently pending in this application. Claims 1, 4, 5, 7, 9, and 10 are hereby amended. Claims 2 and 3 have been canceled without prejudice. Claims 13-18 have been withdrawn in response to an earlier restriction requirement. Applicants affirm the provisional election, with traverse, of claims 1-12 (Group I).

II. THE REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have accordingly amended claims 1 and 7, and respectfully request withdrawal of these rejections on this basis.

III. THE REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1-3 and 6-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,296,426 to Burn ("*Burn*"). The rejections are traversed for at least the following reasons.

With respect to the Examiner's rejection of claim 1, Applicants respectfully submit that *Burn* is silent on containing one or more oxides containing both Ti and Zn. Independent claim 1, as amended, recites:

“A dielectric particle aggregate made of dielectric particles of BaO-TiO₂-Nd₂O₃ type dielectric or SrTiO₃ type dielectric, wherein the particles contain **ZnTiO₃ and/or **Zn₂TiO₄** in the surface layer thereof.” (Emphasis added)**

According to *Burn*, in its primary aspect, the invention is directed to a composition for forming a densified ceramic dielectric body consisting essentially of: (1) about 96.0-98.0 wt. % barium titanate with an average particle size of 0.5 to 1.25 microns, (2) 0.3-1.2 wt. % of niobium oxide, (3) 0.4-1.2 wt. % of zinc oxide, (4) 0.1-1.2 wt. % of neodymium oxide, (5) 0.15-0.75 wt. % of boron oxide, (6) 0-0.1 wt. % manganese oxide. *Burn*, Col. 2, lines 47-57.

As described above, the dielectric body in *Burn* contains barium titanate and additives consisting essentially of niobium oxide, zinc oxide, neodymium oxide, boron oxide, and manganese oxide. *Burn* does not however disclose or suggest “particles contain[ing] ZnTiO₃ and/or Zn₂TiO₄,” which include both Zn and Ti.

The relied upon portions of *Burn* do not appear to disclose or suggest the above identified feature of claim 1, as amended. Therefore, for at least the foregoing reasons, Applicants submit that independent claim 1 is patentable over the relied upon portions of *Burn*. Reconsideration and withdrawal of these rejections are, therefore, respectfully requested.

IV. THE REJECTIONS UNDER 35 U.S.C. § 103(a)

Dependent claims 4 and 5 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Burn*. Also, dependent claims 11 and 12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over *Burn* and further in view of U.S. Patent No. 4,335,216 to Hodgkins et al. (“*Hodgkins*”). The rejections are traversed for at least the following reasons.

Claims 4, 5, 11, and 12 depend both directly and indirectly from, and include the subject matter of claim 1, which is allowable for the reasons discussed above. Therefore, it is submitted that claims 4, 5, 11, and 12 are also allowable, since they depend from allowable claim 1. Reconsideration and withdrawal of these rejections are, therefore, respectfully requested.

V. DEPENDENT CLAIMS

The other claims are dependent from independent claim 1, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

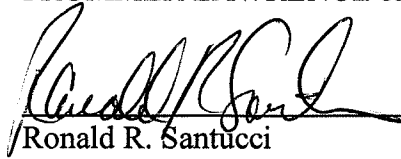
In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to
Deposit Account No. 50-0320.

Respectfully submitted,
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